

BRP WM 03 Withdrawal Permits

Instructions and Supporting Materials

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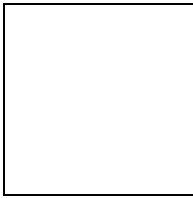
Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BRP WM 03 Permit Fact Sheet

1. What is the purpose of this permit?

DEP reviews requests to withdraw water to ensure that new withdrawals will not negatively impact the ability of existing users to continue withdrawals, that withdrawals do not exceed the safe yield of a water source, and that water resources are not negatively impacted.

Statutory and regulatory authority for this permit can be found at MGL Chapter 21G and 310 CMR 36.17-44 inclusive.

Note: This permit is now administered by the Office of Watershed Management, not the Division of Water Supply. As a result, the permit code number has changed, effective November 30, 1994, but all other aspects of these permits remain the same. BRP WM 03 was formerly BRP WS 05.

2. Who must apply?

Persons planning to withdraw water from ground or surface sources for purposes in excess of an annual average of 100,000 gallons per day or 9 million gallons in any 3 month period must apply for this permit. Withdrawers typically requiring a permit are self supplied industry, agriculture, and golf courses, as well as public water suppliers and utilities. Certain non-consumptive water uses are exempt from permitting.

3. What other requirements should be considered when applying for this permit?

a. What prerequisites should be considered before applying for this permit?

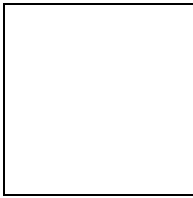
Interbasin Transfer Act approval is required from the Water Resources Commission (at EOE, 617-727-9800) for withdrawals crossing a river basin and municipal boundary.

b. What concurrent applications are related to this permit?

New source approval is required for new public supply sources. Review under the Massachusetts Environmental Policy Act (MEPA) is required for physically new withdrawals.

Note: Certain increased withdrawals from existing withdrawal points may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact the MEPA Unit of the Executive Office of Environmental Affairs (100 Cambridge Street, Boston, MA 02202; (617-727-5830)). *DEP cannot complete technical review of the permit application until the MEPA process has been concluded.* Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate program offices in Boston and the MEPA Coordinator in the appropriate Regional Office.

Note: These additional requirements are intended to serve as a guide to the



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applicant. It does not necessarily include **all** additional requirements.

4. What is the application fee?

The application fee is \$3,340.

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

**Department of Environmental Protection
Watershed Management
Water Management Program, 9th floor
One Winter Street
Boston, MA 02108**

Reserve Copy Location:

**Water Resource Management
Official in the community
where the withdrawal
point(s) is located.**

6. What are the timelines?

Applications for each basin are accepted according to the schedule found in 310 CMR 36.18. Applications are accepted 30 days prior to the initial filing date. Within 90 days of the filing date DEP will complete a review of the application, during which time the applicant and DEP will each conduct their required public notice. The applicant will have until the completion date specified in 310 CMR 36.18 to remedy any deficiencies and complete the public notice responsibilities. DEP typically has 90 days from the completion date to rule on an application but may take up to an additional 9 months in certain circumstances.

7. What is the annual compliance fee?

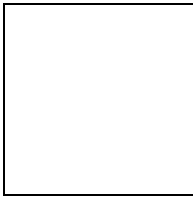
Current annual compliance fees can be found on the DEP Website at www.mass.gov/dep/files/permits/fees.htm. If you fail to pay the annual compliance fee, your permit could be suspended or revoked.

8. How long is this permit in effect?

Permits may be valid for up to 20 years although DEP can limit permit terms to 5 years in the North Coastal, Boston Harbor, Neponset, Blackstone, Charles, South Coastal, Cape Cod, Islands, Buzzards Bay, Taunton, Ten Mile Concord, and Ipswich Basins. Permits issued in the first round of permitting in a basin may run for the full 20 years. Permits issued in the next annual round may be valid for 19 years and in the next round 18 years, the next - 17 years and so on.

9. How can I avoid the most common mistakes made in applying for this permit?

- a. Determine if public notice applies to you and prepare in advance of the filing to meet the requirements.
- b. Complete drawdown analyses for all applicable groundwater sources in advance of filing date.
- c. Provide a thorough explanation of your demand estimates.
- d. Develop your conservation plan according to the instructions provided with the permit application form.
- e. Submit fee and one copy of the DEP Transmittal Form to: Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.



BRP WM 03 Permit Fact Sheet

10. What are the regulations that apply to this permit? Where can I get copies?

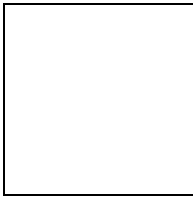
These regulations include, but are not limited to:

- a. Water Management Act Regulations, 310 CMR 36.00
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103-1317
413-784-1376



Massachusetts Department of Environmental Protection

Bureau of Resource Protection – Watershed Management – Water Management Program

BRP WM 03 Application Completeness Check List

All forms and instructions listed below are available from the Office of Watershed Management (617-292-5770). Form A is required of all applicants. Depending on the type of permit sought, applicants may need to complete some or all of the other forms listed below.

Form A, General Information.

Form B, for each groundwater withdrawal.

Form C, for each surface water withdrawal.

Form D1, for withdrawals in operation before the initial Filing Date in a river basin.

Form D2, 5-year monthly projections for **each** withdrawal point in the application and for total volume.

Form D3, annual projections for the remainder of the permit period for **each** withdrawal point in the application and for total volume.

Cranberry Growers should complete Form D1 and D2 for cranberry cultivation. These forms are based on acreage in production instead of metered water withdrawals.

Water demand estimates over the permit period.

Description of your water conservation program and implementation timetable (For Public Water Suppliers, a completed Water Resources Commission Conservation Plan fulfills this requirement. For other applicants, conservation requirements are outlined in these guidelines, but there is no standard form).

Send a copy of the permit application to the Local Water Resources Management Official (LWMRO) in the town(s) where your withdrawal(s) is located, or to the Chief Elected Official if no LWRMO has been appointed. Contact the Water Management Program staff at (617) 292-5770 if you need help identifying this official.

All applicants must meet the following requirements, except for public water suppliers who have received final New Source Approval after January 1, 1979, from DEP for **ALL** withdrawal points in their application.

Form F, Evaluation of Potential Effects of the Proposed Withdrawal (included with initial application).

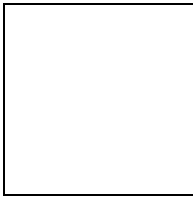
Form G, Alternatives to the Proposed Withdrawal (included with initial application).

Publish a notice in local newspapers within 14 days after the filing date.

Notify primary and secondary abutters to the property upon which the withdrawal is located within 5 days after publishing the above notice.

Send a notarized affidavit to DEP stating that public notice has been completed within 10 days after notifying the abutters.

Submit an Environmental Notification Form (ENF) to MEPA for physically new withdrawal points within 10 days of filing and send a copy to DEP.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Watershed Management – Water Management Program
BRP WM 03 Application Completeness Check List

Applicants for groundwater withdrawals must meet the following requirement, except for public water suppliers who received final New Source Approval from DEP after January 1, 1979.

Form H, Groundwater Hydraulic Analysis (include Step 1 with initial application – if additional pump test work is required, the applicant has six months, until the Completion Date, to complete the work).

To submit the application package:

Checklist items have been completed.

The DEP Transmittal Form is completed.

Send one copy of the application package, with one copy of the DEP Transmittal Form to:

Department of Environmental Protection
Watershed Management
Water Management Program
9th floor
One Winter Street
Boston, MA 02108

Send fee of \$3,340 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149

Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamsburg
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788

Acton
Ashburnham
Ashby
Athol
Auburn
Ayer
Barre
Bellingham
Berlin
Blackstone
Bolton
Boxborough
Boylston
Brookfield

Charlton
Clinton
Douglas
Dudley
Dunstable
East Brookfield
Fitchburg
Gardner
Grafton
Groton
Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
Holliston
Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Topsfield
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795

Abington
Acushnet
Attleboro
Avon
Barnstable
Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

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Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
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Harwich
Kingston
Lakeville
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Marshfield
Mashpee

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Middleborough
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Norton
Norwell
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Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

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Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
One Winter Street
Boston, MA 02108
Telephone: (617) 654-6500
Fax: (617) 556-1049
TDD: (617) 574-6868

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Concord
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Everett
Framingham
Georgetown
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Groveland
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Methuen
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Nahant
Natick
Needham
Newbury
Newburyport
Newton
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North Reading
Norwood
Peabody

Quincy
Randolph
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Revere
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Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn